

## PLAINTIFFS' EXHIBIT 8

C/m

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
PEOPLE OF THE STATE OF NEW  
YORK,

Plaintiff,

- against -

JONATHAN K. SMITH,

Defendant.  
-----X

ORDER OF DISMISSAL  
CV: 09-0571  
WEXLER, J.

The complaint having been filed over 120 days ago, and no further actions having been taken or any explanation for the lack of prosecution having been filed with this Court. Letter, dated May 6, 2010 (Document # 4, docketed 5/6/2010) from defendant Smith to the Court indicating that the above action is abandoned by the plaintiff, it is

ORDERED that this action is dismissed, without prejudice for failure to prosecute pursuant to Rule 41(b) of the Federal Rules of Civil Procedure with the right to reopen by showing of good cause within 30 days from the date of this order.

SO ORDERED:

Dated: Central Islip, New York  
June 15, 2010

✓  
\_\_\_\_\_  
LEONARD D. WEXLER  
United States District Judge

MOVANT'S COUNSEL IS DIRECTED TO SERVE A COPY  
OF THIS ORDER ON ALL PARTIES UPON RECEIPT.

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
PEOPLE OF THE STATE OF NEW YORK,

Plaintiff,

- against -

JONATHAN K. SMITH,

Defendant.  
-----X

**JUDGMENT**

CV-09-0571 (LDW)

An Order of Dismissal of Honorable Leonard D. Wexler, United States District Judge, having been filed on June 15, 2010, dismissing this action without prejudice for failure to prosecute pursuant to Rule 41(b) of the Federal Rules of Civil Procedure with the right to reopen by showing of good cause within 30 days from the date of said order, it is

**ORDERED AND ADJUDGED** that Plaintiff take nothing of Defendant; that this action is dismissed without prejudice for failure to prosecute pursuant to Rule 41(b) of the Federal Rules of Civil Procedure; and that Plaintiff has the right to reopen by showing of good cause within 30 days from the date of the Order fo Dismissal.

Dated: Central Islip, New York  
June 17, 2010

ROBERT C. HEINEMANN  
CLERK OF THE COURT

By: /s/ Catherine Vukovich  
Deputy Clerk



**Justice Court**  
**TOWN OF SOUTHAMPTON**  
32 JACKSON AVENUE  
HAMPTON BAYS, N.Y. 11946

JUSTICES  
DEBORAH KOOPERSTEIN  
BARBARA L. WILSON  
ANDREA H. SCHIAVONI  
EDWARD D. BURKE

COURT CLERK  
(631) 702-2990

Scott M. Moore, Esq.  
Moore International Law PLLC  
45 Rockefeller Plaza, Suite 2000  
New York, NY 10111


Re: Jonathan Smith  
Docket # 09-031419  
BA8767264

August 12, 2010

Dear Mr. Moore:

Per your request, I am formally notifying you of the disposition of the case against your client Jonathan K. Smith. This matter was removed to the Eastern District on February 12, 2009 from this Court. Judge Wexler dismissed the case for failure to prosecute per an Order of Dismissal.

This Court has therefore lost jurisdiction and recognizes that. This matter is dismissed and marked off the calendar.

  
Hon. Deborah Kooperstein  
Town Justice